IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 7129 of 2001

Between:

Toddy Tappers Co-operative Society, Rep. by its Chairman K. Rama Goud S/o Nara Goud, R/o Chegunrta Mandal Medak District.

..... PETITIONER

AND

1 The Govt. of A.P., Rep. by its Asst. Engineer, Irrigation Sub-Division, Chegunta, Medak District.
2 The Chetabaine Venkatesham
H.No.3-11, Chegunta Mandal,
Medak District.
3 Prohibition & Excise Superintendent
Medak, Medak District.

.....RESPONDENTS.

HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No. 7129 OF 2001

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ORDER:

The petitioner, a Toddy Tappers Cooperative Society, was allotted toddy trees in the village limits of Chegunta, in Medak District. It is the case of the petitioner-society

that the toddy trees were allotted to it for the purpose of tapping, and, under the guise of classification for the purpose of water courses, the respondents were cutting down these excise trees without due permission from the competent authority.

On filing this Writ Petition, this Court by order dated 16-4-2001 restrained the respondents 1 and 2 from cutting down the toddy trees, which were allotted to the petitioner-Society.

Though the Writ Petition is of the year 2001, no counter affidavit is filed on behalf of the respondents.

It is to be noted, that in view of Section 27 of the A.P. Excise Act,1968 no person shall, without the permission of the Collector or such officer as may be empowered by the government in this behalf, cut down or destroy any excise trees. In that view of the matter, I dispose of the Writ Petition directing the respondents not to cut down the excise trees without obtaining due permission from the competent authority as required under Section 27 of the A.P. Excise Act, 1968.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATED:16-11-2005

Msnr